

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

North Shore Sanitary District for the use  
and benefit of Great American Insurance  
Company,

*Plaintiff*

v.

Travelers Casualty and Surety Company  
of America,

*Defendant.*

Case No.: 07 C 6322  
Assigned Judge: Judge Zagel  
Designated Magistrate Judge: Judge Cox

**PLAINTIFF'S MOTION TO VOLUNTARILY DISMISS**

Plaintiff, North Shore Sanitary District for the use and benefit of Great American Insurance Company, by and through its attorney, Jennifer A. Nielsen of Lyman & Nielsen LLC, for its Motion to Voluntarily Dismiss its Complaint pursuant to Fed. R. Civ. Pro 41 (a)(2), states as follows:

Plaintiff has entered into a written settlement agreement which, upon payment, resolves the issues raised in its Complaint. The settlement agreement provides that this matter shall be dismissed without costs to the parties and that Plaintiff has 30 days from entry of a dismissal order to reinstate this case in the event the obligations of the settlement agreement are not performed.

Accordingly, Plaintiff requests this court enter an order pursuant to Rule 41(a)(2) that voluntarily dismisses this matter without costs to the parties and permits the Plaintiff 30 days from entry of this Order to reinstate this case in the event the obligations of the settlement agreement are not performed. A copy of a proposed Order is attached hereto.

Wherefore, Plaintiff, North Shore Sanitary District for the use and benefit of Great American Insurance Company, prays this Honorable Court will enter an order pursuant to Rule 41(a)(2) that

voluntarily dismisses this matter without costs to the parties, permits the Plaintiff 30 days from entry of this Order to reinstate this case in the event the obligations of the settlement agreement are not performed and such other and further relief as this Court deems just and proper.

Respectfully submitted,  
North Shore Sanitary District for the use and  
benefit of Great American Insurance  
Company,

By:

Jennifer A. Nielsen  
Lyman & Nielsen, LLC  
1301 West 22<sup>nd</sup> Street, Suite 914  
Oak Brook, IL 60523  
T: 630/575-0020  
F: 630/575-0999  
Attorney No. 6224821